

ORIGINAL



0000010541

RECEIVED

LAW OFFICES
**WATERFALL ECONOMIDIS CALDWELL
HANSHAW & VILLAMANA**

SB No. 00078300
5210 EAST WILLIAMS CIRCLE, SUITE 800
TUCSON, ARIZONA 85711
(520) 790-5828

2004 SEP 21 A 10:45

AZ CORP COMMISSION
DOCUMENT CONTROL

Russell E. Jones, SBN 000549
D. Michael Mandig, SBN 005601
Attorneys for Trico Electric Cooperative, Inc.

BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
Chairman
KRISTIN K. MAYES
Commissioner
JEFF HATCH-MILLER
Commissioner
WILLIAM MUNDELL
Commissioner
MIKE GLEASON
Commissioner

Arizona Corporation Commission

DOCKETED

SEP 21 2004

DOCKETED BY

CM

IN THE MATTER OF THE APPLICATION
OF TRICO ELECTRIC COOPERATIVE,
INC., AN ARIZONA NONPROFIT
CORPORATION, FOR AUTHORITY TO
BORROW THE ADDITIONAL SUM OF
\$57,992,000 FROM, OR GUARANTEED BY,
THE UNITED STATES OF AMERICA (RUS)
AND TO EVIDENCE SAID LOAN BY THE
EXECUTION OF A LOAN AGREEMENT,
PROMISSORY NOTE AND SECURITY
DOCUMENTS REQUIRED BY THE
LENDER.

Docket No. E-01461A-04-0299

**WAIVER OF APPLICANT TO
TIMELINESS OF FILING THE
RECOMMENDATIONS OF THE
HEARING OFFICER OR
ADMINISTRATIVE LAW JUDGE
WITH THE COMMISSION AND
APPLICANT'S RIGHT TO OBJECT TO
SUCH RECOMMENDATIONS**

On April 19, 2004, Trico Electric Cooperative, Inc. ("Applicant") filed with the Arizona Corporation Commission ("Commission") its Application for Approval of Additional Borrowing of \$57,992,000.00 from, or guaranteed by, the United States of America (RUS) ("Application"). As set forth in the Application, the proposed loan is under the hardship provision of the Rural Utilities Service loan program which provides for 5% interest rate for the entire term of the loan.

1 The funds for such loans are distributed on a "first come-first served" basis and any of such loans
2 approved after its appropriated funds are depleted must wait until the next year's appropriations.
3 RUS will not approve Applicant's loan request until the Commission approves the Application.
4 In the event the loan is not approved before the end of 2004, Applicant would be required to be
5 re-qualified for such loan. Accordingly, it is extremely important to Applicant and its consumers
6 that the proposed loan be approved by the Commission and submitted to RUS by November,
7 2004.

8 Applicant does hereby waive any and all objections pursuant to A.A.C. R14-3-110, or any
9 other Rule of the Commission pertaining to the time when the Hearing Officer or Administrative
10 Law Judge is required to file his or her recommendations to the Arizona Corporation
11 Commission. Applicant further waives any right to file exceptions of any proposed order
12 submitted by the Hearing Officer or Administrative Law Judge to the Commission as provided in
13 said Rule A.A.C. R14-3-110, or any other Rule of the Commission.

14 RESPECTFULLY SUBMITTED this 20th day of September, 2004.

15
16 WATERFALL ECONOMIDIS CALDWELL
17 HANSHAW & VILLAMANA, P.C.

18
19 By


Russell E. Jones

D. Michael Mandig

Attorneys for Trico Electric Cooperative, Inc.

21
22 Original and 15 copies of the foregoing
23 Filed this 21 day of September, 2004, with

24 Docket Control
25 Arizona Corporation Commission
26 1200 W. Washington
Phoenix, AZ 85007-2927